

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

WP(C).No. 23163 of 2005(G)

PETITIONER:

ANCY ANNA PHILIP MATHEW,
VALAPARAMBIL, THEKKEMALA P.O., KOZHENCHERRY.

BY ADV. SRI.BIJI MATHEW

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY,
GENERAL EDUCATION DEPARTMENT, SECRETARIATE,
THIRUVANANTHAPURAM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF EDUCATION,
THIRUVALLA, PATHANAMTHITTA.
4. THE DISTRICT EDUCATION OFFICER,
PATHANAMTHITTA.
5. THE MANAGER,
ST.THOMAS HIGHER SECONDARY SCHOOL AND
ST. MARY'S HIGH SCHOOL, KOZHENCHERRY.
6. MINI MATHEW,
ST. MARY'S HIGHER SECONDARY SCHOOL, KOZHENCHERRY.

R6 BY ADV. SRI.KURIAN GEORGE KANNAMTHANAM
R1 TO R4 BY GOVERNMENT PLEADER SMT. M.R. SREELATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC . 23163/2005.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE APPOINTMENT ORDER AND APPROVAL ORDER NO.K.DIS.D3/3070/03 DATED 30.6.2003 OF THE PETITIONER.

EXT. P2 : TRUE COPY OF THE APPOINTMENT ORDER AND APPROVAL ORDER NO.K.DIS.B3/4210/03 DATED 15.7.2003 OF THE PETITIONER.

EXT. P3 : A TRUE COPY OF THE APPOINTMENT ORDER DATED 2.6.2004 ISSUED BY THE 6TH RESPONDENT.

EXT. P4 : A TRUE COPY OF THE LETTER NO.B3/6526/2004 DATED 10.12.2004.

EXT. P5 : A TRUE COPY OF THE APPEAL DATED 2.2.2005 SUBMITTED BEFORE THE 3RD RESPONDENT.

EXT. P6 : A TRUE COPY OF THE APPOINTMENT ORDER DATED 15.10.2004.

EXT. P7 : A TRUE COPY OF THE LETTER NO.B3/13233/04 DATED 20.1.2005 OF THE 4TH RESPONDENT.

EXT. P8 : A TRUE COPY OF THE APPEAL DATED 5.3.2005 SUBMITTED BEFORE THE 3RD RESPONDENT.

EXT. P9 : A TRUE COPY OF THE REPRESENTATION DATED 2.11.2004 SUBMITTED BEFORE THE 4TH RESPONDENT BY THE PETITIONER.

EXT. P10 : A TRUE COPY OF THE LETTER DATED 10.5.2005 SENT TO THE 3RD RESPONDENT BY THE PETITIONER.

K.M.JOSEPH, J.

WP.(C) No.23163 OF 2005

Dated this the 12th day of December, 2006

JUDGMENT

Case of the petitioner is that petitioner has approved service as HSA and therefore she is a Rule 51A claimant, and ignoring the Rule 51A claim of the petitioner, the fifth respondent appointed the sixth respondent as HSA. It is submitted that the appointment of the sixth respondent has been approved. If that be so, I feel that the remedy of the petitioner lies in approaching the statutory authority under the KER.

In such circumstances, it is for the petitioner to approach the competent statutory authority challenging the approval of the sixth respondent. Reserving the right of the petitioner to approach the appropriate statutory authority, the writ petition is closed.

(K.M. JOSEPH, JUDGE)

sb

K.M.JOSEPH, JJ.

W.A. No. OF

JUDGMENT

Dated this the day of February, 2006.